

### **REMARKS**

The Office Action dated 12 May 2005 has been fully considered by the Applicant.

Claims 1, 4, 8, 11-12, 15, 16 and 20 are currently amended. Claims 2-3, 5, 9-10, and 13 have been previously presented. Claims 6, 7, 14, 17-19 have been canceled.

Claims 1, 2, 5, 7, 8, 11, 16, 17, and 19 have been rejected under 35 USC 102(e) as being anticipated by United States Patent No. 6,061,056 to Menard et al.

Independent claim 1 has been currently amended to include a television system having as a part thereof a broadcaster having memory means for storing data relating to program information having at least subtitle and/or closed caption data, a broadcast data receiver for receiving the digital data via terrestrial, cable or digital means from the broadcaster and generating visual/audio and/or auxiliary data therefrom and a search facility to allow a user to search the memory means at the broadcaster by generating a user request for program information and sending the user request to the broadcaster memory means, the system having means to match the user request with any corresponding program information in the memory and display the found information on a display screen. Applicant sincerely believes that currently amended claim 1 is novel over the '056 patent to Menard et al., and, therefore, respectfully requests reconsideration of the rejection.

The '056 patent to Menard et al is directed toward a television monitoring system that allows a user to input information criteria. A database is provided in the set top box for storing the data representing the criteria. A recognition device is provided for generating a program data stream of the program content from incoming data streams at the set top box. A comparator then compares the user criteria against the program content to identify anything of interest. The incoming data searched can be closed caption text. There is no disclosure or teaching of a database being located

at the broadcaster or of the user sending a request directly to the broadcaster, as in Applicant's invention.

One of the problems of the '056 Menard et al patent, which teaches to searching closed caption data at the receiver end and not at the broadcaster end as in Applicant's invention, is that the processing power required by the receiver end to perform this searching is large. Furthermore, because of the nature of closed caption data and subtitle data only relating to television programs downloaded for viewing at the time, the data being searched at the receiver end based on the user criteria is not in respect of future programs. As such Menard et al provides only a limited search ability. This is a reason why closed caption data and subtitle data would not normally be used for searching. Applicant sincerely believes that currently amended claim 1, along with the dependent claims thereof, is novel over the Menard et al patent. Applicant respectfully requests reconsideration of the rejection.

Applicant's claim 16 has been currently amended to include a method of obtaining program information in a television system having a broadcast data receiver for receiving digital data received from a broadcaster having memory means, and a display screen, including the steps of inputting a query into the television system, searching a broadcaster memory means for program information having at least subtitle and/or closed caption data relating to said query and displaying on a display screen identified program information corresponding to the query.

The method of the '056 patent to Menard et al does not include searching a memory means located at a broadcaster for program information having at least subtitle and/or closed caption data relating to an query. Therefore, Applicant sincerely believes that currently amended method claim 16 is novel over the '056 Menard et al patent and requests reconsideration of the rejection.

Claims 1, 6, 14, 15, 16 and 18 have been rejected under 35 USC 102(b) as being anticipated by United States Patent No. 5,630,119 to Aristides et al.

Applicant's claim 1 has been currently amended to include a television system having as a part thereof a broadcaster having memory means for storing data relating to program information having at least subtitle and/or closed caption data, a broadcast data receiver for receiving the digital data via terrestrial, cable or digital means from the broadcaster and generating visual/audio and/or auxiliary data therefrom, a search facility to allow a user to search the memory means at the broadcaster by generating a user request for program information and sending the user request to the broadcaster memory means, the system having means to match the user request with any corresponding program information in the memory and display the found information on a display screen. Applicant sincerely believes that currently amended claim 1 is novel over the '119 patent to Aristides et al., and, therefore, respectfully requests reconsideration of the rejection.

Aristides et al discloses a system and method for displaying program listings in an interactive electronic program guide. In Aristides, a headend receives the video signals from another source, such as a satellite feed or other cable system. The video signals are first decoded by decoder to extract the video information. The extracted video information is then reconfigured into the appropriate video data stream by real-time encoder. The real-time video data stream is transferred to an amplifier and transmitted by transceiver over distribution structure to homes. (See Col 3, lines 20-29). In Aristides, the database server which contains the information needed by the electronic program guide is located at the headend. (See Col 4, lines 29-30). This is in contrast to Applicant's invention wherein the memory means for storing data relating to program information having at least subtitle and/or closed caption data is located directly at the broadcaster. No decoding of the video

signal is required in Applicant's invention.

In addition, in the '119 Aristide et al patent, the database of program information is held at a headend and the user sends a request to the headend to retrieve the requested information, and not as in Applicant's invention to the broadcaster. The program data held at the headend in the '119 Aristide et al patent is indexed by a plurality of bucket numbers corresponding to discrete time slots in the electronic program guide. A user can request information relating to a particular time slot by requesting information relating to a particular bucket number, and the bucket number is matched with the bucket numbers to retrieve only the information that has been indexed and not, as in Applicant's invention, information directly from the broadcaster having memory for storing program data having at least subtitle and/or closed caption data. The user of Applicant's invention has more access to a much larger type and amount of information than in the '119 Aristide et al patent.

In Applicant's invention, word searches or key word searches can be carried out on unbiased information which as program specific data such as subtitle and closed-caption text, as well as verbose descriptions of programs that do not carry subtitle/closed-caption data. Applicant's invention clearly provides the user with a much broader search than in the '119 Aristides et al patent, since the data searched in Applicant's invention is located directly at the broadcaster and is unbiased information.

Applicant's claim 16 has been currently amended to include a method of obtaining program information in a television system having a broadcast data receiver for receiving digital data received from a broadcaster having memory means, and a display screen, including the steps of inputting a query into the television system, searching a broadcaster memory means for program information having at least subtitle and/or closed caption data relating to said query and displaying on a display

screen identified program information corresponding to the query.

Applicant sincerely believes that currently amended claims 1 and 16, along with dependent claims thereto, are novel over the '119 Aristides et al patent and respectfully requests reconsideration of the rejection.

Claims 3, 4, 9, 10, and 13 have been rejected under 35 USC 103(a) as being unpatentable over United States Patent No. 6,061,056 to Menard et al in view of United States Patent No. 6,005,565 to Legall et al. Each of these claims depend upon currently amended independent claim 1 which Applicant believes is novel over the cited references as stated herein. Applicant therefore respectfully requests reconsideration of the rejection.

The '565 patent to Legall et al discloses a search tool that enables a user to search an electronic program guide or other information resources, such as the world wide web, using a single user initiated search. The search results can be provided by the content provider so that the receiving system does not have to perform the search. There is no disclosure of closed caption data being in the database provided by the content provider for searching, as in Applicant's invention.

In addition, whilst Legall et al teaches to a database of program information being located at the broadcaster for searching in respect of user criteria and thus overcomes the problem of large amounts of processing power for searching being required by the receiver, there is no teaching in Legall et al to the advantages of including closed caption and subtitle information in the database at the broadcaster, as in Applicant's invention. As such, any searching undertaken in the '565 Legall et al patent falls within the problem outlined in Applicant's specification, that is, a viewer may miss minor segments of programs of interest to them because such minor segments are not normally included in normal electronic program guide information. As such, a person skilled in the art would

not consider combining the teaching of Legall et al with the teaching in Menard. The advantages of Applicant's invention would also not be immediately evident if the teachings in Menard and Legall were combined, since the idea of using closed caption or subtitle data at a broadcaster is novel. Because the broadcaster also includes future program information, it can be used as the basis for search criteria transmitted from the receiver to the broadcaster. These features are clearly novel over the cited references; and Applicant respectfully requests reconsideration of the rejection.

Claim 12 has been rejected under 35 USC 103(a) as being unpatentable over United States Patent No. 6,061,056 to Menard et al in view of United States Patent No. 6,865,746 to Herrington. Claim 12 depends upon currently amended independent claim 1 which Applicant believes is novel over the cited references as stated herein and therefore respectfully requests reconsideration of the rejection.

The '746 Herrington et al patent discloses an electronic program guide that allows a user to select criteria therefrom. The system then searches for programs containing the selected criteria and provides an indication of the same to the user. The headend may contain the database that includes the program listing being searched. The user of the 'Herrington et al '746 patent configures the search parameters based on selecting pre-determined criteria rather than the user inputting their own arbitrary search criteria into a query box, as in Applicant's invention. Furthermore, in the '746 Herrington et al patent there is no disclosure of closed caption searching, as in Applicant's invention.

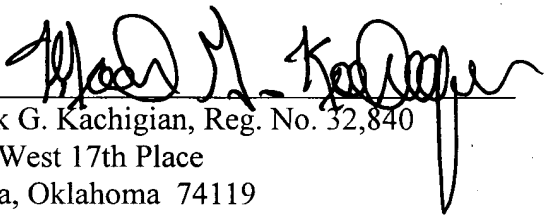
In summary, Applicant believes that currently amended claims are novel over the cited references and respectfully requests reconsideration of the rejections.

It is believed that the foregoing is fully responsive to the outstanding Office Action. It is submitted that the application is now in condition for allowance and such action is earnestly solicited. If any additional fees are associated with this action, please charge deposit Account No. 08-1500.

Respectfully Submitted

HEAD, JOHNSON & KACHIGIAN

Dated: 12 August 2005

By:   
Mark G. Kachigian, Reg. No. 32,840  
228 West 17th Place  
Tulsa, Oklahoma 74119  
Attorneys for Applicant  
Phone No. 918-587-2000